

SPECIAL PROCEDURES SUBMISSION

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Akio SUGIHARA, et al.

Docket No: Q97391

Allowed: September 20, 2010

Appln. No.: 10/594,127

Group Art Unit: 1625

Confirmation No.: 8975

Examiner: Niloofar RAHMANI

Filed: September 25, 2006

For: COMPOSITION OF SOLIFENACIN OR SALT THEREOF FOR USE IN SOLID FORMULATION

**PETITION TO WITHDRAW APPLICATION FROM ISSUANCE
IN ACCORDANCE WITH 37 C.F.R. §1.313(a) and (c)(2)**

MAIL STOP 313(c)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner to withdraw the above-identified application from issuance in accordance with 37 C.F.R. §1.313(a) and (c)(2). Insofar as Applicant can determine, although the Issue Fee was paid on May 6, 2011, the above-identified application has not been accorded an issue date or a patent number.

The present petition is being filed to request consideration of a request for continued examination (RCE) in compliance with 37 C.F.R. §1.114 and consideration of an Information Disclosure Statement under 37 C.F.R. §1.97, in the above-identified application, citing a Communication from a foreign patent office, Korean Office Action, dated April 12, 2011 issued

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in Application No 10-2011-7007484, which is a foreign counterpart to co-pending Application No. 12/950,492. An Information Disclosure Statement and RCE are being filed concurrently herewith.

The petition fee of \$130.00 (37 C.F.R. §1.17(h)) is being remitted. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Jennifer M. Hayes/

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Date: May 13, 2011

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